

REMARKS / ARGUMENTS

Claim 1 is amended in order to more distinctly claim the invention. The amendment is supported by the specification, especially the specific examples which demonstrate the utility of epothilone B for the treatment myeloma.

Claims 1, 2, 3, 6 and 8 are rejected under 35 USC 103(a) over Pardee et al. Applicants request reconsideration and withdrawal of this rejection for the reasons that follow.

As Applicants noted in the amendment of July 25, 2008, the reference does not disclose that myeloma can be treated with epothilone B, or any G2/M phase drug, in the absence of a G1 or S phase drug. Since the present claims have been amended to exclude the combined use of epothilone B and a G1 or S phase drug for the treatment of myeloma, the presently claimed method of treatment is not suggested by the reference. Accordingly, withdrawal of the rejection under 35 USC 103(a) over Pardee et al is requested.

Claims 1-6 and 8 are rejected under 35USC 103(a) over Pardee et al in view of Ojima et al. Applicants request reconsideration and withdrawal of this rejection for the reasons that follow.

The present claims are patentable over Pardee et al for the reasons discussed above, Ojima et al is relied upon as disclosing that resistance to taxane therapy is due to overexpression of p-glycoprotein. Although such a teaching may be relevant to claims 3-5 if these claims included the combined use of epothilone B and a G1 or S phase drug, the secondary reference does not cure Pardee et al's failure to suggest that myeloma could be treated with epothilone B in the absence of a G1 or S phase drug. Therefore, the presently claimed invention is not suggested by the combined disclosure of the references. Accordingly, Applicants request withdrawal of the rejection over Pardee et al in view of Ojima et al.

Entry of this amendment and reconsideration and allowance of the claims are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George R. Dohmann", written over a horizontal line.

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